

STAND. COM. REP. NO.

3133

Honolulu, Hawaii

MAR 25 2014

RE: S.R. No. 63  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.R. No. 63 entitled:

"SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY  
TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR  
CORRECTIONAL FACILITIES, "

begs leave to report as follows:

The purpose and intent of this measure is to modernize the  
State's correctional facilities by requesting the Department of  
Public Safety to enter into a public-private partnership agreement  
for the planning, design, and construction of new or renovated  
correctional facilities.

Your Committee received testimony in support of this measure  
from the Department of Public Safety, Department of the Attorney  
General, Department of Land and Natural Resources, Department of  
Accounting and General Services, Department of Budget and Finance,  
Department of the Prosecuting Attorney of the City and County of  
Honolulu, and Laborers Union Local 368. Your Committee received  
testimony in opposition to this measure from Community Alliance on  
Prisons, Hawaii Friends of Justice and Civic Education, Ohana  
Ho'opakele, Malu 'Aina, and forty-three individuals. Your  
Committee received comments on this measure from the Office of  
Hawaiian Affairs and one individual.

Your Committee finds that the Department of Public Safety  
operates seven correctional facilities in the State. These  
correctional facilities have not been significantly expanded since

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1987, when the Halawa Medium Security Facility was opened. All seven of these facilities are in need of modernization or expansion to meet the State's correctional needs. Under existing law, the Governor may enter into and execute contracts with a private entity to construct correctional facilities to be leased or purchased for the benefit of the State. A public-private partnership agreement for the construction of new statewide correctional facilities that may include reentry centers, reporting centers, treatment centers, and halfway homes, to be owned and operated by the State and its counties, will assist the State in meeting the challenges of providing adequate inmate housing, services, and programs.

Your Committee has amended this measure by:

- (1) Amending the title to read, "URGING THE GOVERNOR TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR A NEW SYSTEM OF CORRECTIONAL FACILITIES THAT MAY INCLUDE REENTRY CENTERS, REPORTING CENTERS, TREATMENT CENTERS, PRISONS, JAILS, AND HALFWAY HOMES, TO BE OWNED AND OPERATED BY THE STATE AND ITS COUNTIES";
- (2) Inserting additional language regarding the State's mainland prisoners, existing correctional facilities, prison population, and potential federal intervention to further explain the State's need for a new system of correctional facilities;
- (3) Inserting additional language that the Department of Public Safety has not provided a concrete plan to rebuild the prisons and jails in response to the burgeoning prison system crisis;
- (4) Inserting additional language that no later than July 1, 2018, the Governor is urged to achieve the goal of bringing home all of the State's prisoners that are incarcerated on the mainland;
- (5) Inserting additional language that the public-private partnership be in accordance with the Justice Reinvestment Act and that a minimum of seventy percent of the repayment costs for the new system of correctional facilities be paid for through cost savings and efficiencies;



- (6) Inserting additional language regarding the public-private partnership's duties and proposals;
- (7) Inserting additional language that no later than May 31, 2014, the relevant state departments put out a request for proposals to the prison building industry;
- (8) Inserting additional language that no later than December 31, 2014, the State select a private partner to accomplish the goal of providing Hawaii with a new system of correctional facilities; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 63, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.R. No. 63, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,

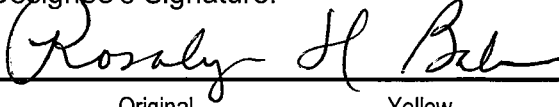


WILL ESPERO, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Public Safety and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>SR 63</b>	Committee Referral: <b>PSM, WAM</b>	Date: <b>3-24-2014</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh		✓		
SLOM, Sam		✓		
<b>TOTAL</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:      Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes